

**BIRMINGHAM CITY COMMISSION AGENDA
DECEMBER 5, 2022
MUNICIPAL BUILDING, 151 MARTIN
7:30 P.M.**

I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Therese Longe, Mayor

II. ROLL CALL

Alexandria Bingham, City Clerk

III. PROCLAMATIONS, CONGRATULATORY RESOLUTIONS, AWARDS, APPOINTMENTS, RESIGNATIONS AND CONFIRMATIONS, ADMINISTRATION OF OATHS, INTRODUCTION OF GUESTS AND ANNOUNCEMENTS.

ANNOUNCEMENTS

- The City recommends members of the public wear a mask if they have been exposed to COVID-19 or have a respiratory illness. City staff, City Commission and all board and committee members must wear a mask if they have been exposed to COVID-19 or actively have a respiratory illness. The City continues to provide KN-95 respirators and triple-layered masks for attendees.
- Happy Birthday Commissioner Boutros!

APPOINTMENTS

- A. Appointment to the Museum Board
 - 1. Caroline Ashleigh
To appoint _____ to the Museum Board as an alternate member to serve the remainder of a three-year term to expire July 5, 2023.

IV. OPEN TO THE PUBLIC FOR MATTERS NOT ON THE AGENDA

V. CONSENT AGENDA

All items listed on the consent agenda are considered to be routine and will be enacted by one motion and approved by a roll call vote. There will be no separate discussion of the items unless a Commissioner or citizen so requests, in which event the item will be removed from the general order of business and considered under the last item of new business.

* City Commission meeting minutes of November 28, 2022 will be available for the December 19, 2022 City Commission meeting.

- A. Resolution to approve the warrant list, including Automated Clearing House payments, dated November 23, 2022, in the amount of \$390,693.98.
- B. Resolution to approve the warrant list, including Automated Clearing House payments, dated November 30, 2022, in the amount of \$938,371.60.
- C. Resolution to approve a special event permit as requested by the Birmingham Bloomfield Chamber to hold the 58th Annual Village Fair on May 31st – June 4th, 2023 contingent upon compliance with all permit and insurance requirements and payment of all fees and, further pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event, or event cancellation that may be deemed necessary by administrative staff, leading up to or at the time of the event.

- D. Resolution to approve a special event permit as requested by the Birmingham Memorial Day Committee to hold the annual Memorial Day Service on May 29, 2023, contingent upon compliance with all permit and insurance requirements and payment of all fees and, further pursuant to any minor modifications that may be deemed necessary by administrative staff at the time of the event, or event cancellation that may be deemed necessary by administrative staff, leading up to or at the time of the event.
- E. Resolution to approve the hiring of PCI Dailey for construction management services for the Front Entrance and Circulation Area of the Baldwin Public Library, to be paid out of account 271.0-790.000-977.0000 (Capital Outlays – Building Improvements). Payment will be based on the bid submittal from October 19, 2022, with a construction management fee of 2.5% of the Guaranteed Maximum Price, to be determined once all subcontract bids are received.
- F. Resolution to confirm the City Manager’s authorization for the emergency expenditure related to backfilling the water main break on the north side of 14 Mile Road west of Shipman Boulevard by D’Angelo Brothers Inc., which is located at 30836 West 8 Mile Road, Farmington Hills, MI 48336, for a cost of \$21,358.00 to be charged to Water Fund account # 591.0-544.000-811.0000, pursuant to Sec. 2-286 of the City Code.
- G. Resolution to confirm the City Manager’s authorization for the emergency expenditure related to the purchase of materials from Carrier & Gable, Inc., for the repair of the west attenuator for the bridge at the S. Eton and Maple Road intersection for a cost of \$8,494.07 to be charged to Bridge Maintenance account for Other Contractual Services Account# 202.0-449.002-811.0000, pursuant to Sec. 2-286 of the City Code.
- H. Resolution to amend Fee Schedule A to add a \$40/unit monthly fee for dumpster rentals.
- I. Resolution to approve the sale of (34) used dumpsters to the Williamsburg of Birmingham Condominiums Complex at \$100 each, totaling \$3400, with Williamsburg Condominiums responsible for maintaining and replacing the dumpsters in the future.
- J. Resolution to authorize the City Clerk to complete the Local Government Approval Notice at the request of Toast Birmingham, LLC, which holds the Class C and SDM License with Sunday Sales (PM) and Outdoor Service Area located at 203 Pierce, Birmingham, Oakland County, MI, to maintain ownership in Toast Birmingham, LLC’s sole member, Toast Holdings, LLC., but to transfer ownership of one of Toast Holdings, LLC’s members, Vision Toast, solely to Regan Bloom.
- K. Resolution to confirm the appointment of Police Captain Scott Grewe to the role of Police Chief of the City of Birmingham.

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| VI. UNFINISHED BUSINESS |
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VII. NEW BUSINESS

- A. Fiscal Year 2021-2022 Audit Presentation
- B. 2023 48th District Court Budget
- C. Public Hearing to consider the proposed Zoning Ordinance amendment to Article 3, Section 3.04(D)(3) of the Downtown Overlay Parking Requirements
 - 1. Motion to adopt an ordinance to amend Article 3, Section 3.04(D)(3) of the Downtown Overlay Parking Requirements to allow nonresidential uses in the D4 Zone located outside of the former parking assessment district to reduce or eliminate parking requirements under the provision of a Special Land Use Permit per the Planning Board’s recommendation.
OR
Motion to adopt a resolution to DENY the proposed Zoning Ordinance Amendment to Article 3, Section 3.04(D)(3) of the Downtown Overlay Parking Requirements to allow nonresidential uses in the D4 Zone located outside of the former parking assessment district to reduce or eliminate parking requirements under the provision of a Special Land Use Permit per the Planning Division’s recommendation.
- D. Commission Items for Future Discussion. A motion is required to bring up the item for future discussion at the next reasonable agenda, no discussion on the topic will happen tonight.
- E. Commission discussion on items from a prior meeting

VIII. REMOVED FROM CONSENT AGENDA

IX. COMMUNICATIONS

X. REPORTS

- A. Commissioner Reports
 - 1. Notice of intention to appoint to the Public Arts Board
 - B. Commissioner Comments
 - C. Advisory Boards, Committees, Commissions’ Reports and Agendas
 - D. Legislation
 - E. City Staff
- INFORMATION ONLY

XI. ADJOURN

Should you wish to participate in this meeting, you are invited to attend the meeting in person or virtually through ZOOM: <https://zoom.us/j/655079760> Meeting ID: 655 079 760
You may also present your written statement to the City Commission, City of Birmingham, 151 Martin Street, P.O. Box 3001, Birmingham, Michigan 48012-3001 prior to the hearing.

*NOTICE: Individuals requiring accommodations, such as mobility, visual, hearing, interpreter or other assistance, for effective participation in this meeting should contact the City Clerk's Office at (248) 530-1880 (voice), or (248) 644-5115 (TDD) at least one day in advance to request mobility, visual, hearing or other assistance.
Las personas que requieren alojamiento, tales como servicios de interpretación, la participación efectiva en esta reunión deben ponerse en contacto con la Oficina del Secretario Municipal al (248) 530-1880 por lo menos el día antes de la reunión pública. (Title VI of the Civil Rights Act of 1964).*